

Hon. James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RICHARD J. FULTON,

Plaintiff,

vs.

LIVINGSTON FINANCIAL, LLC, and
NELSON & KENNARD,

Defendants.

No. 15-cv-00574-JLR

DEFENDANTS' REQUEST FOR
COURT GUIDANCE

Defendants request guidance from the Court in order to take the action that the Court believes is the best under the circumstances.

On July 25, 2016, this Court entered an Order on Attorney Fees, (Dkt 51), and Plaintiff filed a Motion for Reconsideration of the Order the next day. (Dkt 52).

Plaintiff now demands immediate payment of fees and costs awarded in the Order, but he has also asked the Court to reconsider its Order. It is Defendants' understanding that the Order is not final until the reconsideration motion is determined and a subsequent Order is entered. Defendants intended to send payment upon entry of the subsequent Court Order. However, as stated, Defendants wish to take the action that the Court believes is the best under the circumstances, and will abide by the Court's decision.

As such, Defendants request to know whether payment should be made now, before the Court has entered its final Order, or whether payment should be sent once the final order is entered; and will follow the Court's instructions in this regard.

1 DATED this 3rd day of August, 2016.

2 For Defendants,

3 By: s/ Marc Rosenberg
4 Marc Rosenberg
5 One of the Attorneys for Defendants
6 Nelson & Kennard, and
7 Livingston Financial, LLC

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CERTIFICATE OF SERVICE

I hereby certify that on the date provided at the signature below, I electronically filed the preceding document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following individuals:

Mr. Jason Anderson jason@alkc.net

Mr. John P. Ryan jryan@hinshawlaw.com

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct, to the best of my knowledge.

Dated this 3rd day of August, 2016 at Seattle, Washington.

For Defendants,

By: s/ Marc Rosenberg

Marc Rosenberg

One of the Attorneys for Defendants

Nelson & Kennard, and

Livingston Financial, LLC

Lee Smart, P.S., Inc.

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